

Addresses: John Penhallurick, 86 Bingley Crescent, Fraser, ACT, Australia, e-mail: jpenhall@bigpond.net.au.  
Edward C. Dickinson, c/o The Trust for Oriental Ornithology, Flat 3, Bolsover Court, 19 Bolsover Road,  
Eastbourne, East Sussex, BN20 7JG, UK, e-mail: edward@asiaorn.org

© British Ornithologists' Club 2008

## The valid name for the Grey Wagtail

by Richard Schodde & Walter J. Bock, for the Standing Committee on  
Ornithological Nomenclature of the International Ornithological Committee

Received 20 April 2007

In Opinion 882, in 1969, the International Commission on Zoological Nomenclature (hereafter the Commission) validated *Motacilla cinerea* Tunstall, 1771, as the correct name for the Eurasian Grey Wagtail (ICZN 1969). It was conserved with three other names, including *Falco peregrinus* (Peregrine Falcon), all of them published in the folio *Ornithologia Britannica: seu Avium Omnium Britannicarum tam Terrestrium quam Aquaticarum Catalogus*, attributed to the English naturalist and collector, Marmaduke Tunstall (Tunstall 1771). The folio is a four-page list of names for 241 species of English birds, in three columns: Linnaean, English and French. Fourteen names are cross-referenced to entries in the edition of *Zoologiae Britannicae* (=Thomas Pennant's *British zoology*, 1766) then current, including *Falco peregrinus*, and so appear to be available by indication (ICZN 1999, Art. 12.2.1). None of the three other names validated in Opinion 882 is cross-referenced.

Although the species in the *Ornithologia Britannica* are identifiable by English and French names drawn from Pennant (1766) and Brisson (1760) respectively, all those not so cross-referenced lack both a description and indication (Art. 12, ICZN 1999), and are technically *nomina nuda*. Such circumstances first led to the *Ornithologia Britannica* being accepted for nomenclatural purposes (ICZN Opinion 38), then to its rejection (ICZN Direction 38). However, several names first published there had been in widespread use in ornithology for decades, even centuries in the case of *Falco peregrinus*. Accordingly, the Standing Committee on Ornithological Nomenclature (SCON) of the International Ornithological Committee applied to the Commission to validate four of them in 1958, including *Motacilla cinerea* (Grey Wagtail) (Salomonsen *et al.* 1964). This application was approved in Opinion 882.

*Motacilla cinerea* Tunstall, 1771, has been in universal use for the Grey Wagtail ever since, in hundreds of journal papers, field lists, checklists and manuals, until Mees (2006) challenged it by adopting the next junior synonym, *Parus caspicus* S. G. Gmelin, 1774, on the grounds that *Motacilla cinerea* Tunstall was a *nomen nudum* and so inadmissible for validation by the Commission. This misinterprets the provisions of the *International code of zoological nomenclature*. Under Arts 78.1 and 80.2 of the current edition (ICZN 1999)—and Arts. 78(b) and 79(a) in the third edition used by Mees (ICZN 1985)—the Commission is empowered, when ruling in an Opinion, to suspend or exempt any nomenclatural provision in order to settle the name to be used. Moreover, under Art. 80.9 of the current edition (*l.c.*)—and Art. 78(i) in that used by Mees (*l.c.*)—no ruling of the Commission may be set aside without the consent of the Commission. If the Commission has mistakenly validated *Motacilla cinerea* Tunstall and the other *nomina nuda* in Opinion 882, then application may be made to the Commission for correction under Art. 80.4 (ICZN 1999). The SCON does not

intend to pursue this course, however; and in the interim, *Motacilla cinerea* Tunstall must remain the valid name for the Grey Wagtail.

#### References:

- Brisson, M.-J. 1760. *Ornithologia sive Synopsis methodica*, vols. 1–6. J.-B. Bauche, Paris.
- International Commission on Zoological Nomenclature (ICZN). 1969. Opinion 882 *Ornithologia Britannica*, 1771: validation of four specific names of birds. *Bull. Zool. Nomencl.* 26: 26–27.
- International Commission on Zoological Nomenclature (ICZN). 1985. *International code of zoological nomenclature*. Third edn. The International Trust for Zoological Nomenclature, c/o The Natural History Museum, London.
- International Commission on Zoological Nomenclature (ICZN). 1999. *International code of zoological nomenclature*. Fourth edn. The International Trust for Zoological Nomenclature, c/o The Natural History Museum, London.
- Mees, G. F. 2006. The avifauna of Flores (Lesser Sunda Islands). *Zool. Meded. Leiden* 80: 1–261.
- Pennant, T. 1766. *The British zoology*, vol. 1. Cymmrodorion Soc., London.
- Salomonsen, F., Junge, G. C. A., Miller, A. H. & Stresemann, E. 1964. *Ornithologia Britannica*, 1771: proposed validation of four specific names. *Z.N. (S.)* 1636. *Bull. Zool. Nomencl.* 21: 366–367.
- Tunstall, M. 1771. *Ornithologia Britannica: seu Avium Omnium Britannicarum tam Terrestrium quam Aquaticarum Catalogus*. London.

Address: Standing Committee on Ornithological Nomenclature, c/o Australian Biological Resources Study, GPO Box 787, Canberra City, ACT 2601, Australia.

© British Ornithologists' Club 2008

## The correct name of the population of *Xiphorhynchus ocellatus* (von Spix, 1824) recently named *weddellii* (Des Murs, 1855)

by John Penhallurick & Alexandre Aleixo

Received 10 May 2007

Aleixo (2002) established that the population of Ocellated Woodcreeper *Xiphorhynchus ocellatus* (von Spix, 1824) in southern Colombia (east Guainía, east Vaupés, south Amazonas), extreme southern Venezuela (south-west Amazonas), north-east Peru (north of the Amazon in Loreto), and north-west Brazil (east to the rio Negro), is genetically distinct from others of the species. These findings were based on cytochrome-*b* sequences of a specimen from dpto. Loreto, Peru (at Louisiana State University Museum of Natural Science, Baton Rouge, USA; LSUMZ 119520), and were subsequently confirmed by additional cytochrome-*b* sequences of 11 specimens from near Iquitos, Peru (also at LSUMZ) and Jaú National Park and the lower rio Japurá region in Brazil (at Museu Paraense Emílio Goeldi, Belém, Brazil (MPEG); Aleixo *et al.* 2006). Zimmer (1934) had previously also found this population to differ morphologically from other taxa in the species: 'A good series from this range is, in general, distinguishable from true *ocellatus* by darker margins of the buff pectoral spots which are, in turn, perhaps slightly larger than in Rio Madeira skins. The mantle averages more heavily streaked, sometimes with the streaks slightly expanded to form rounded, subterminal dots. Nevertheless, numerous specimens are not more pronouncedly streaked on the back than *ocellatus*. The best marked examples, on the other hand, are not far removed from certain skins of *napensis*, showing clearly the full intergradation of *napensis* and *ocellatus*. The shoulder is even more strongly and deeply rufescent than in *ocellatus*, being far different from the condition in *chunchotambo*.'